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“Journalism is not a crime”: The unlawful crackdown on the media in Kashmir

Journalists in Kashmir are witnessing an increased level of harassment by the police through censorship, interrogation and, in some cases, imprisonment. The illegal detention of Aasif Sultan is the most recent such incident. UMER ASIF

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15 October, 2018

In early September, when I read about the arrest of Aasif Sultan, an assistant editor with the magazine *Kashmir Narrator*, the first thought that came to my mind was that the police was now intimidating journalists openly. In the past, they would summon and interrogate them discreetly, away from media attention—like they had twice done with me.

The first time was on 22 October last year, when an officer from Counter-Intelligence Kashmir, a section of the Jammu and Kashmir police’s

politically volatile North Kashmir town of Handwara. We were mourning the loss of my 19-year-old niece. Since my Delhi number does not work in Kashmir, the CIK had decided to try my family.

"*Jinab, aise oos mashwar rasha karun, tohie aytov* Srinagar *taam*" (Sir, we have to discuss something, you have to come to Srinagar), a hoarse voice at the other end on my brother's phone commanded.

At dawn the next morning, my father caressed my hair to wake me up. It was time for me to travel to Srinagar, 72 kilometres away. "Please inform us in which jail they are going to lodge you," my father told me. I nodded.

I reached the CIK headquarters in Humhuma, a neighbourhood near Srinagar airport, at 10.30 am on 23 October. As is the custom in Kashmir, I produced my identity card and asked the policeman at the entrance why journalists were being summoned. "To teach them a lesson," he told me with a smirk.

After entering my details in two other ledgers, I sat down in the courtyard inside. A head popped out from one of the windows and shouted my name. Absurdities, too, are a custom in Kashmir—I raised my hand despite being the only one there.

I entered the room preparing myself for a "discussion" and a "lesson." Four officers were seated inside. The seniormost officer immediately asked me: "*Paise kahan se lete ho?*" (Where do you get your money?)

The question confused me. "What money?"

"Money, money… okay, sit down." I slouched down in the empty chair and looked around. The office was newly furnished. The finest of wood carvings by Kashmiri artists were on display, their finesse in stark contrast to the boorish voices of the men around me.

Instead of the promised discussion, I was confronted by a barrage of questions, ranging from the redundant to the ridiculous. "What is the

you have to write about everything that is happening here?" As if to compensate for the broken promise, I was given some lessons too. "Kashmir is not just about conflict. You must endeavour to present a good picture of Kashmir." To save them—and myself—further embarrassment, it is best to not reveal their other valuable lessons.

I was made to suffer this ignominy because of a Facebook post in which I had highlighted the importance of taking sides in a conflict zone and sticking to them loyally. I had also written that if one was sympathetic towards the cause of a free Kashmir, one could not be sympathetic to the police or the army, and vice versa.

Another post that was brought up discussed the suitability of terms such as "house negroes" and "collaborators" to the Kashmir discourse. I was asked to define house negroes and discuss the history behind the term, as well as who I thought the term applied to in Kashmir. After discussing the American civil-rights movement of the 1950s and '60s, I highlighted the importance of Malcolm X, who famously used the term to describe oppressed people who identified more with their oppressors than their own people.

I went on and on, until the deputy superintendent who was leading the "discussion" tired of my verbosity and asked me to leave. It had been almost eight hours. One of the officers accompanied me to the gate, adopting an entirely different attitude. He presented himself as a fellow Kashmiri, standing with his brother at a moment of need. He asked me to report on scandals of corruption and nepotism—anything but conflict.

In July this year, I was in Delhi when my brother called me. He was in the CIK office in Kashmir, having been summoned there for no reason other than the fact that he was my brother. He was out of breath. "They are looking for you," he told me.

The familiar hoarse voice took over. "*Bhai, apko yahan aana padega*" (Brother, you'll have to come here).

No! Your brother is with us. We need you tomorrow in our office."

I pleaded for more time, since I did not have the money to travel to Srinagar on such short notice. The hoarse voice did not yield. I was ordered to carry my passport, laptop, mobile phones and other identification documents. I could sense it was different this time. Why did they need to call my brother when they already had my details? He was allowed to leave, but asked to return at 9 am the following day.

I borrowed some money from my nephew, and landed at Srinagar airport at 12:45 pm and rushed to the CIK office. Again, I completed the formalities. As soon as I entered the room, the deputy superintendent told my brother, "You may go now, because the real culprit is here." My head buzzed as it tried to wrap itself around the word "culprit."

My questioning began at 2.00 pm. This time, it was about a website I run, called Lost Kashmiri History—a digital archive of curated content about the blood-soaked history of Kashmir. It features over a hundred books and presents historical events in chronological order through various multimedia tools, using newspaper articles and research papers as its primary sources. In the two years of its existence, it has had over 2 million views.

"Who runs this website?" the DSP asked me.

"I do."

"Who finances you?"

"I don't need any external funding to run a puny website."

Unconvinced, they checked my laptop and passport. My private chats were read aloud. My photographs were closely examined. Suddenly, an officer shouted: "*Haye imis haa chui Umar Khalides saathe te* connection. *Yeahie haa chui*" (He has connections with Umar Khalid as well. He is the one.) They had discovered my conversations with the student activist Umar Khalid, with whom I had chatted as a journalist.

My website is dedicated to honouring memory, whether it is of the Gawkadal and Handwara massacres of 1990 or the forgotten Anantnag massacre of 1931, whether it is a testimonial of loss or the inspiring legacy of courageous women. I was humiliated for hours, questioned about the authenticity of these events. I was asked to read some "good books" about Kashmir, but when I asked for recommendations, they had no answer other than a sheepish smile. They questioned my use of language, declared that my writings contain strong undercurrents of sedition and demanded that I reveal which terrorist organisation I work for. When nothing seemed to work, they branded me a "closet anti-national."

They must have seen the exasperated look on my face, for one of them said to me: "We don't care what you write and what you want to tell the world."

"If the words of a journalist do not matter to the state," I replied, "why am I being questioned like this?"

At around 6:30 pm, I was asked to inform my parents that I had been detained. I packed my belongings and made my way to the room in which I was to spend the night. I mentally prepared myself for being charged with the Public Safety Act, since the officers had mentioned a dossier without giving me any idea what I was accused of.

I welcomed the night, because it induced a strange hypnosis. I disliked the authoritative intrusion of the sun in the morning. Much like the morning sun, the hoarse voices would invite themselves in whenever they wanted and pressurise me to stop doing whatever it was that I was doing, without ever clarifying what I was doing that was so unacceptable to the state. Kashmir, as I said, has an elaborate custom of absurdities.

How well-established this custom was became clear in the next round of questioning. I was asked about the brands of my clothes, about my smoking habits, about my childhood conduct. I was asked how I knew whether the history books were true if all that I see around me is nothing but an

At the end of the session, I was asked: “What can end the political turmoil and how will the situation improve in Kashmir?” I noticed one of the hoarse voices furiously taking notes. I straightened myself in my chair. “Kashmir and Kashmiris want freedom,” I said. “Don’t you know that?” As long as the political dispute over Kashmir was not resolved, I told them, the situation could not improve, for the people here would keep asking for a resolution.

I was released after five days of questioning. This time, the officer escorting me out asked me to build my career, earn money and stop doing unnecessary things. As I was about to leave, he told me: “*Tum par nazar hai*” (You are being watched).

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With a change in details such as names, dates and some specific incidents, my story has been the experience of several journalists in Kashmir. For the simple act of doing their job or writing social media posts, journalists are routinely harassed through censorship, interrogation and, in some cases, imprisonment. The Indian state seems adamant on not allowing local voices to be circulated and amplified. Such institutionalised repression only demonstrates that it does not want the people of Kashmir to have access to perspectives on their socio-political condition. The only perspective that can be allowed is of those who parrot the state’s narrative.

Aasif Sultan’s illegal detention is the most recent such incident. On the intervening night of 27 and 28 August, Sultan’s residence in the Srinagar neighbourhood of Batamaloo was raided by police, who ransacked his belongings, including his books. They later confiscated his laptop and mobile phones. According to his father, the police did not have a search warrant.

Sultan was whisked away to Batamaloo police station. Showkat A Motta, the editor-in-chief of *Kashmir Narrator*, later learnt that Sultan was asked

also interviewed activists, politicians and journalists as part of his editorial duties. He said that he believes Sultan was being harassed to reveal the sources for his cover story on the slain Hizbul Mujahideen commander Burhan Wani in the magazine's July 2018 issue. "The police has also been pressurising him to become an informer."

The article, titled "The Rise of Burhan," quoted two sources who were identified as having been "over ground workers" for Wani before they cut ties with militants following his death. In their social media posts, some Kashmiri journalists were sceptical of his OGW sources, while others did not agree with Sultan's portrayal of Wani's ideology, but all of them agreed that arresting a journalist for such a story was a travesty.

The first information report against Sultan notes that he was booked under the Unlawful Activities (Prevention) Act. The police accused him of being complicit in "harbouring known terrorists" and added him as a suspect in an FIR about a recent case of militants killing a policeman in Batamaloo. They later claimed that he had "incriminatory material" in his possession, but failed to provide any evidence to substantiate their claims. GV Sundeep Chakravarthy, the superintendent of police for Srinagar South, has stated that Sultan had been "writing against uniformed forces and supporting militancy," for which the police was considering filing separate charges.

According to the police, Sultan was in custody because of his alleged involvement in the Batamaloo killing. However, Motta told me that Sultan was being continually questioned about his writing and political ideology. He first visited the police station on 28 August. "I was told that they would let him stay there for the night. I went back the following day and asked the SHO"—station house officer—"to release him, but he simply stated that it was no longer in his hands."

The incident was widely condemned. In a joint statement released on 1 September, the Kashmir Working Journalists Association and the Kashmir Journalists Association called it an illegal detention and demanded Sultan's

have all called on the police to release him. “By reporting on militant activity, Sultan is performing an important public service, not committing a crime,” Steven Butler, the Asia programme coordinator of the CPJ, said in the committee’s statement. Amnesty International said in an official statement that “the intimidation, harassment and detention of journalists in Jammu and Kashmir by the state threatens basic freedom of expression norms.” Sultan was, however, criticised on social media outside Kashmir for a Facebook post in which he made anti-migrant statements about labourers from the mainland. He had uploaded a picture of a non-local street vendor, who had been caught trying to kidnap a 3-year-old girl in Kashmir’s Kupwara district, urging people to “Remember these faces … Kick them out.”

Bashir Manzar, the secretary of the Kashmir Editors Guild, told me: “This has never happened before. Earlier some or the other group from the other side would come and kill, but now it is being carried out in a systematic manner. Last year it was Kamran”—referring to Kamran Yusuf, a photojournalist who spent six months in jail on charges of waging war against the state—“and this year it is Aasif. And we also have reports that some prominent editors have been formally and informally questioned for their stories.” As another young journalist put it, “At first, India saw civilian protestors as OGWs. The media is the latest target; now journalists are being dubbed OGWs.”

After a 13-day detention, Sultan was presented before a Srinagar court on 8 September, and has been in judicial remand ever since. During his first court appearance, he was photographed wearing a t-shirt that said, “Journalism is not a crime.” Sultan was beaten in custody for this display of defiance, his father told me, and the t-shirt has been confiscated by policemen.

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Upon reaching there, he was introduced by the SHO to a man who claimed to be from the National Investigation Agency. To Javeed's shock, the man summoned him to Delhi for interrogation.

Javeed informed his editor, Sajjad Haider, following which an emergency meeting of the Kashmir Editors' Guild was held. It was decided that he should answer the summons. He was supposed to reach Delhi on 15 July, but his anxiety pushed him to reach a day earlier. On landing in Delhi, he was surprised to receive a call from the NIA insisting that he come to their headquarters the same day. He hurried there along with his lawyer and a colleague.

It was the senior superintendent of police at NIA headquarters who finally explained the situation to Javeed—he had been brought there because he had interviewed Asiya Andrabi, the founder of the Dukhtaran-e-Millat, or Daughters of the Nation, an all-woman group that advocates the merger of Jammu and Kashmir with Pakistan. The SSP further explained that Andrabi had spoken against India and Javeed had witnessed it.

Javeed reasoned that he had simply been doing his job as a journalist and committed no crime, but that failed to have any impact. "I cooperated with them to the best of my ability," he told me, "and even shared with them how I had got Asiya Andrabi's phone number and mentioned the sources I refer to in the report. They asked me how much money I make as a journalist." On 1 August, the management of *Greater Kashmir*, the largest English daily newspaper in the valley, advised Majid Maqbool, the executive editor of the magazine *Kashmir Ink*—which is produced by the publishers of *Greater Kashmir*—to resign without giving him any reason.

"There are many people I know who have been called by state agencies, but they do not wish to be named," the senior journalist Hilal Mir told me. "However, the way they are now calling people to bring their passports along is something new. It is unprecedented that a journalist is being called

Yousuf Jameel, another senior journalist, agreed with Mir. “It is new that journalists are now being pressed to reveal their sources. It is direct harassment. It is not just a few instances, rather the routine now.” He called it indirect censorship. “They may say that the press is free and independent in Kashmir, but during curfews we notice the denial of curfew passes to journalists. Even if they are issued, they are not accepted by the forces deployed during curfews. Another instance worth noting is the regular snapping of internet services, which makes it nearly impossible for journalists to work efficiently.”

On 14 October, the Kashmir Journalist Association issued a statement condemning the restrictionsimposed by the police on the movement of journalists. The statement referred to two incidents in particular—the Jammu and Kashmir police curbing the entry of journalists to polling stations during the local panchayat elections, and preventing journalists from reporting on the funeral of a slain militant, Mannan Wani. The journalist body also noted that it had “appealed the Governor Satya Pal Malik and top police and civil administration to stop muzzling of press.”

The summoning of journalists increased after the murder of Shujaat Bukhari, the editor of *Rising Kashmir*, on 14 June 2018. Under the pretext of investigating his killing, many journalists have been interrogated and threatened by the police. The ones who are being arrested are younger and lesser known. “Most of them are local journalists working for local publications, not the Delhi-based ones,” a journalist with a national newspaper told me on condition of anonymity, “because the news published here stings them more. The agencies try to portray them as unprofessional and attack their credibility. Since they don’t have much national or international backing, they think nobody will support them.”

Correction: An earlier version of this article incorrectly identified Majid Maqbool as the executive editor of Greater Kashmir *and Auqib Javeed as a journalist working with* Kashmir Ink. *Maqbool was the executive editor of*